ACT Government

ACT GOVERNMENT SUBMISSION

Issues Paper:

National Emerging Aviation Technologies Policy

November 2020

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ISSUES PAPER - NATIONAL EMERGING AVIATION TECHNOLOGIES POLICY

Introduction

The ACT Government is pleased to make a submission on the Issues Paper –National Emerging Aviation Technologies Policy released by the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications in September 2020.

The comments in this paper are directed at the matters raised in the issues paper but include some commentary on broader issues around remotely piloted aircraft systems, unmanned aerial systems and urban air mobility systems. For the sake of simplicity, this submission refers generally to those systems as 'drones'.

The ACT Government notes that drone usage is growing rapidly and that the drone industry's technical capabilities and requirements are also changing at pace. It is important that all levels of government do our best to anticipate these advances and develop progressive policy and regulatory frameworks to accommodate them.

The ACT Government's position on drones has been informed by several parliamentary inquiries and government responses including:

- *Eye in the Sky, Inquiry into drones and the regulation of air safety and privacy*, House of Representatives Standing Committee on Social Policy and Legal Affairs, July 2014 and the Australian Government response published in December 2016[1];
- *Current and Future Regulatory requirements that impact on the safe use of Remotely Piloted Aircraft Systems, Unmanned Aerial Systems and associated systems*, Senate Standing Committee on Rural and Regional Affairs and Transport References Committee, July 2018 and the Australian Government response published in November 2018[2]; and
- *Report No6 - Inquiry into Drone Delivery Systems in the ACT*, Legislative Assembly for the ACT Standing Committee on Economic Development and Tourism, July 2019[3].

The ACT Government has been engaging with the opportunities and challenges presented by drone delivery technology through its response to the arrival to Canberra of Wing Australia, a drone delivery service. Wing began trialling drone delivery technology in the ACT in 2018 and has commissioned research into the commercial benefits of drone delivery technology for business, consumers and society.

The ACT Government is also keen to understand further how non-commercial application of this technology might benefit the community. One example would be emergency services using drone technology to transport drinking water, food, medical supplies, and mechanical parts to their workers and volunteers operating in rural areas or in urban environments cut off due to floods and fires.

Finally, the ACT Government notes that the ACT and surrounding regions already has a relatively strong ecosystem of drone systems and application developers. These include the ACT UAV Developers Association, the Australian National University's Advanced Instrumentation and Technology Centre at Mount Stromlo, the University of New South

[1] Available at: https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Drones/Report
[2] Available at: https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/Drones
[3] Available at: https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/1394485/9th-EDT-06-Inquiry-into-Drone-Delivery-Systems-in-the-ACT.pdf

Wales Canberra Space Research facility, and companies such as Xtek, Codarra Advanced Systems, Aerial Robotics Australia, FPV Australia, Wildlife Drones, Aerovort and SOAPdrones.

ACT Government position on the issues paper

The ACT Government notes that the Territory has been the launchpad for trials of ground-breaking services such as those provided by Wing Aviation LLC, and that we have now had some experience of the community's response.

That experience has shown that the key issues around small drone operations have been:

- Safety and regulation of areas of operation
- Noise regulation
- Infrastructure
- Privacy, and
- Complaints management.

These are discussed in more detail below.

The ACT Government also notes the guidance in the Issues Paper for contributors and will be addressing the following questions through the course of this submission:

- Do you agree with the proposed core principles for the National Emerging Aviation Technologies policy?
- What level of service and regulation do you expect from the Government?
- What are your expectations of the Government's role and responsibilities in the management of drones and eVTOL vehicles?
- What are the key opportunities that these new technologies could deliver for Australia?
- What are the most significant barriers to realising these opportunities? and
- What issues or actions should the government prioritise to facilitate the growth of emerging aviation technologies?

Opening comments

The ACT Government is optimistic about the potential benefits of drones and drone delivery services; from empowering local businesses to reach more customers, to cutting greenhouse gas emissions and making life easier for Canberrans living with mobility challenges. We are also interested in further exploring the wide range of situations and possible applications for drone technology, including in the context of Emergency Services.

There are public benefits of drones, including as innovative tools for the community, governments and urban planning, urban design, and planning for smart cities. Benefits include greater accessibility and ability to collect smart data, three-dimensional land surveying and representations of the built and natural environment, aerial photography, visual communication, and environmental conservation, and to assist with public participation in planning processes and other public services. At the same time, all governments have a responsibility to protect public safety and privacy, as well as regulate noise and areas of operation of the drones in urban areas.

The ACT Government would be very pleased to participate in further trials of drone technology and believes that the Australian Capital Territory provides an ideal venue for testing traffic management systems. The Territory is a leader in high technology developments and provides an environment that:

- already has a strong ecosystem of drone systems and application developers
- is relatively low in population density
- has few tall buildings, and
- has relatively low commercial and civil aviation operational density.

Safety and regulation of areas of operation

The ACT Government agrees with the proposed policy approach in the Issues Paper for CASA to have a commitment to the primacy of safety, while taking a responsive, modern and evidence-based approach to safety regulation and the certification of new aviation technology. The ACT Government will be happy to contribute to the development of measures for safe, efficient, considerate and reliable drone operations.

It is clear that drone technology presents complexities and challenges for all civil aviation regulators including those in Australia. The most significant of these matters involve issues of safety, and the management of risks for other airspace users as well as people and property on the ground.

This is recognised in the Issues Paper through the proposed policy approach where the Civil Aviation Safety Authority would maintain its commitment to the primacy of safety, while taking a responsive, modern and evidence based approach to safety regulation and the certification of new aviation technology.

The ACT Government therefore supports a single national approach to future drone regulation, including safety regulation. A national approach is the most effective means of regulating owing to the nature of the exclusive power of the Commonwealth to legislate on significant aspects including drone flights and postal services.

The ACT Government has previously supported the development of nationally consistent regulatory measures, including;

- a mandatory registration regime and education program; and
- the Civil Aviation Safety Authority, the Australian Federal Police, and relevant other government authorities being able to prohibit the use of remotely piloted aircraft systems in airspace above significant public buildings, critical infrastructure, and other vulnerable areas.

The ACT Government notes that Commonwealth legislation already provides a comprehensive and detailed regime for air navigation and air operations throughout Australia, including aircraft noise. The Commonwealth's civil aviation law also imposes rules on the on the operation of drones for recreational and commercial purposes, and clearly 'covers the field' in respect of air navigation safety.

The problem is that drones embody new threats to public safety that cannot be dealt with in the same way as commercial or civil aviation, in that there is:

- a likelihood of a high level of accidents as a result of lower quality of product engineering, lower quality of training, lower quality of operations, increased density of air traffic, and extended areas in which airspace congestion arises
- a likelihood that drone operations will come into conflict with other activities, in some cases threatening public safety. This may arise from, for example, interference

with emergency services operations such as firefighting, or from intentional or accidental jamming of electronic communications

- scope for aggressive and hostile use of drones, including the delivery of explosive and inflammable payloads, and the carriage of weaponry. A drone could be flown into a terrestrial target or at an airborne target such as another drone, a helicopter's blades, or the air-intake of a commercial jet, and
- risk in the application of military capabilities in civilian contexts, particularly by law enforcement agencies, but also by corporations that offer 'security' services.

These threats may give rise to anxiety among a proportion of the public, either to the extent that the risks are real but even if they are merely perceived to exist.

The ACT Government's view is that a nationally consistent whole-of-government approach in the management of drones in Australia is best achieved by only the Commonwealth Government continuing to exercise legislative power in regard to navigable airspace.

This position reflects the Commonwealth's existing responsibilities and the fact that drone flights may cross State/Territory borders, as well as providing the opportunity to utilise existing compliance and complaints systems without unnecessary duplication.

The ACT Government does however note that some legal capacity to regulate the operators of drones and drone launch sites remains with the States and Territories. Some specific aspects of the flying of drones, including possible prohibitions on persons piloting drones over particular events, or piloting drones at certain times of the day, or piloting drones from or over certain locations will also be retained by State and Territory Governments. This kind of regulation would be complementary to the Commonwealth's regulatory scheme.

Noise

The ACT Government supports the proposed policy approach in the Issues Paper to develop and manage a national regulatory approach to noise management that encourages quieter operations consistent with local community considerations. The ACT Government will be happy to work with the Department of Infrastructure, Transport, Regional Development and Communications on a national regulatory approach to noise management that encourages quieter operations consistent with local community considerations.

The Australian Capital Territory has been the launchpad for trials of ground-breaking services such as those provided by Wing, and the ACT Government has now had some experience observing their operations and the community's response.

The ACT Government notes that some residents in the trial areas have raised concerns about the distinctive sound of Wing's drones and the origin of the sound (e.g. neighbours' backyards and open space beyond their boundary fences rather than street facing aspects of their home). A condition of the Wing approval was that Wing must collate all community feedback during the operational period regarding its operations (whether given to Wing directly, or to Infrastructure, Airservices Australia or the ACT Government) and provide this to the Department of Infrastructure, Transport, Regional Development and Communications.

Some of these concerns are reflected in the Report No6 Inquiry into Drone Delivery Systems in the ACT, published by the Legislative Assembly for the ACT's Standing Committee on Economic Development and Tourism in July 2019. The report of that Committee noted that

noise '…is the single biggest obstacle to community acceptance of drone delivery services…'[4].

The ACT Government raised the views of Canberra residents with the Civil Aviation Safety Authority and Wing. In response to this representation, Wing took steps to slow down its drones, trial lower pitched and quieter drones, and change flight paths to avoid repeatedly flying over the same houses. Wing also agreed to undertake work to understand and mitigate potential impacts of its drones on wildlife.

The noise generated by the small electric engines that power drones and their rotors are distinctive in pitch and, to some extent, in volume.

However, Wing has advised the ACT Government that drones used during the trials are equivalent to or quieter than other activities that create noise that are part of the urban/suburban soundscape.

The experience of the ACT Government has been that complaints about noise generated by Wing's drones are few and have lessened in number since Wing rolled out new technology in 2019. Unlike private operators, Wing operates in defined flight paths, and several complaints ostensibly about Wing operations have in fact been for drones owned by private recreational operators.

It is important to note at this point that the ACT's Environmental Protection Regulation 2005 specifically excludes aircraft noise from its noise limits and standards as aircraft noise is regulated by the Commonwealth.

Infrastructure

The ACT Government supports the proposed policy approach that the Australian Government should lead the development of a coordinated and informed approach to infrastructure planning, investment, requirements and approvals.

The two areas that the Australian Government might focus on are

- site selection for "launch" sites for commercial operators, and
- site and operational requirements, particularly in relation to technical and assessments considerations once a site has been identified.

Guidance for both operators and land use regulators on criteria for site selection will be invaluable in the future consideration of drone sites as well as for planning for such sites in future land releases. This might include guidance on considerations such as appropriate location of such sites, sizes, connectivity to ground-based transport, proximity considerations (e.g. sensitive receptors, utility services and powerlines, vulnerable environments, privacy, potential flightpaths and approach zones, and proximity to other secure facilities), appropriate configuration of sites and compatible and incompatible land uses.

Site selection also raises a fundamental threshold question of when a site and its associated operations are insignificant enough to be considered as a type of "local aviation depot" (albeit closely integrated with the urban environment), and when it becomes a proposal to consider to be of greater land use significance with more significant potential impacts, i.e.

[4] Paragraph 3.26 *Inquiry into Drone Delivery Systems in the ACT*, published by the Legislative Assembly for the ACT's Standing Committee on Economic Development and Tourism in July 2019

when does it become a *de facto* airport or heliport for UAVs or eVTOL operations? Some clarification or guidance at a Commonwealth level about this would be gratefully received.

On site and operational requirements currently there is very little, if any, guidance for regulators from the Commonwealth in their consideration of a potential launch/operational site for eVTOL operations. This could potentially cover a wide range of matters, such as sizes of launch pads, onsite storage facilities and maintenance requirements, securing the site (including fencing, lighting and surveillance requirements), utility services requirements, vegetation clearance requirements, site rehabilitation (in the case of temporary use), likely trip generation rates (and corresponding likely 'flight generation rates') for different operators, signage, access and parking requirements.

Privacy

The ACT Government agrees with the proposed policy approach outlined in the Issues Paper that the Commonwealth should lead the development of nationally consistent arrangements for managing privacy concerns. Whatever arrangements are arrived at will need to balance the impacts on privacy with the needs of drone operations.

The ACT Government suggests however that consideration be given to extending the nationally consistent approach to privacy, to issues around surveillance by drones.

At present there are no specific laws which relate to drones and privacy, but regulated operators have legal requirements not to fly on or over private property without the owner's consent and not to fly over populated areas except with very detailed risk management procedures. In most cases, for example, it is illegal to fly a drone within 30m of a person without explicit permission.

Current privacy legislation offers little protection against deliberate or what might be called inadvertent intrusions of privacy by drone operators. Inadvertent intrusions might occur where the operator is filming something else and a person happens to be in those images.

The Federal Parliament held an inquiry into drone safety and privacy in 2014 and concluded that current laws relating to privacy from drones were "fractured" and do not "provide overarching privacy protection for the individual". The inquiry noted that "small businesses (with an annual turnover of less than $3 million), political organisations, media organisations, and individual citizens acting in the course of their personal, family or household affairs are not subject to the privacy principles."

The inquiry did note that State and Territory governments had laws relating to the use of "surveillance devices" but that these are inconsistent, and most are not specifically applicable to drones. The laws of trespass may apply to drone use in some circumstances - for example an operator could be accused of committing an act of trespass if they repeatedly and intentionally fly over an individual's property without permission, especially at low altitudes. Trespass action would be difficult to pursue unless the affected person could find out who the operator was.

CASA has little power to act on alleged breaches of privacy or even allegations of trespass, unless the drone actually injures someone or causes property damage. In most cases it is also very difficult to clearly identify the offender as they can often be a long way from the drone.

In general terms privacy and surveillance laws have not kept up with the advances in imaging technology. Drones are just a small part of the challenge facing all jurisdictions, they just happen to be a visible part.

Nonetheless drones have the potential to result in the proliferation of surveillance capabilities. Most commonly, these might involve visual surveillance, with a great many models of mini- and micro-drones already designed to carry a remotely-controlled camera. The scope exists for other surveillance capabilities, including in the infra-red range, and across the rest of the electromagnetic spectrum.

The use of drones for surveillance can be reasonably expected to have a number of serious negative implications for behavioural privacy. In particular:

- the perspective of the observation is from above, which enables obstructions to view to be much more readily overcome
- the manoeuvrability of the aircraft means that the point-of-view can be moved, and moved quickly
- in some circumstances, the craft's manoeuvrability, speed and endurance are sufficient that pursuit of a surveillance target becomes feasible
- many more organisations and many more individuals will find it economic to conduct surveillance
- a much greater degree of automated monitoring is feasible, and
- multiple sources and live feeds can be used at the same time.

Because the economic constraints are much lower, it may be feasible to conduct more intensive surveillance of individuals and locations (i.e. more of the time), and more extensive surveillance (i.e. in more places). Similarly, as battery technology improves, long-term surveillance becomes a more realistic possibility.

It is therefore essential that the nationally consistent approach deal not just with privacy issues, but also with the enhanced surveillance potential that drones provide. It is important to enable the many beneficial and appropriate uses of drone surveillance, particularly by law enforcement and emergency services agencies and the media, but also in such areas as mining, agriculture, infrastructure maintenance and tourism.

It is vital, however, that unjustified and inappropriate aspects of drone surveillance, by all organisations and all individuals, be subjected to effective controls.

The ACT is a human rights jurisdiction, and public authorities in the ACT who may use drone technology are required to act in a way that is compatible with human rights (including most relevantly the right to privacy at section 12 of the *Human Rights Act 2004* (HRA)). Public authorities must also give proper consideration to human rights when making any decision (section 40B of the HRA).

The right to privacy is engaged and may be limited by the use of drone technology. Other human rights may also be limited by the use of drone technology if some of the risks to public safety discussed above eventuate. For example, interference by drones with emergency services operations could limit the right to life. On the other hand possible opportunities for drone use, such as emergency services using drone technology to transport water, food, medical supplies and mechanical parts to environments cut off due to floods and fires would engage and promote the right to life.

These obligations are imposed on public authorities and would not apply to private sector operators unless those operators were exercising functions of a public nature or choose to be subject to the obligations of public authorities under section 40D of the HRA.

Should the ACT Government seek to legislate on the use of drones the proposed legislation would be assessed for human rights compatibility.

Complaints management

Finally, the ACT Government suggests that complaints management is a serious issue. At present people seeking to make complaints tend to get bounced between the local jurisdiction, CASA, Airservices and drone operators. This is not just a function of the nature of the complaint but appears also to be based on an assumption that local and State/Territory governments are responsible for issues occurring in low level airspace.

In other words, complainants do not distinguish between the noise and nuisance generated by, say, a motor vehicle and the noise and nuisance generated by drones.

An essential feature of any regulatory scheme will therefore be a single, easy to recognise and understand avenue for the management of complaints about drones. This is partly an educational issue and partly a practical issue. It may for example be appropriate to develop a dedicated website for complaints management, with links from all State, Territory and Local Government agencies that might initially field complaints.

Do you agree with the proposed core principles for the National Emerging Aviation Technologies policy?

The ACT Government supports each of the Core Principles outlines on page 6 of the Issues Paper, along with the proposed market management approach.

To be clear, the ACT Government supports a single national approach to future drone regulation, including noise, safety and security regulation. A national approach put in place by the Commonwealth is the most effective means of regulating owing to the nature of the exclusive power of the Commonwealth to legislate on significant aspects including drone flights and postal services.

What level of service and regulation do you expect from the Government?

The ACT Government is optimistic about the potential benefits of drones and drone delivery services; from empowering local businesses to reach more customers, to cutting greenhouse gas emissions and making life easier for Canberrans living with mobility challenges. We are also interested in further exploring the wide range of situations and possible applications for drone technology, including in the context of Emergency Services.

The ACT Government does not support regulation for regulation's sake but the question of regulating drone and Urban Air Mobility aircraft noise is one that needs resolution. Our view is that the Commonwealth remains best placed to implement a single regulatory regime for drone noise across Australia. To do otherwise would be to needlessly complicate what ultimately are aviation and aircraft issues, even though systems like drones and Urban Air Mobility aircraft may be novel and still fast developing.

That said, there remains some scope for the States and Territories to use planning and other laws to provide rules around bases of operation of commercial drone enterprises and to, for example, limit operating hours. This regulatory capacity is complementary to, but does not replace, the Commonwealth's responsibilities in relation to navigable airspace and characteristics of the aircraft that fly within it.

The ACT Government has delegated land use planning responsibilities through the *Planning and Development Act 2007*. While land use planning responsibilities do not specifically relate to drone aviation, ownership and use, they do present implications for land use zoning. There will, for example, be planning implications with growth in the operation of commercial

drone enterprises and the location of these facilities in future. Our planners will need to negotiate and allocate appropriate land uses and building heights based on appropriate drone flight paths.

These urban planning controls will need to be put in place early so as not to impede the long-term future vision for the city set out in the ACT Planning Strategy 2018. This includes considering the practicality of operation of drones, including:

- height requirements for buildings under flight paths
- ensuring drones operate on a path with adequate space and line-of-sight, particularly in more compact areas and areas with higher buildings to avoid collisions
- restrictions for drones in some land use zones due to incompatibility, for example, with more compact residential areas, sensitive land uses and areas of local and national significance
- aerial zoning rights to the airspace above the city with regard to height restrictions in certain land use zones
- encouraging flight paths along main road corridors and other public spaces to avoid private property and buildings and reduce the risk of collision, and
- considering the role of the National Capital Authority in protecting areas of National significance in the Territory.

It remains essential that there be clear classification and description for drones and their uses, e.g. size, weight, range. This is particularly the case as drones are anticipated to rapidly develop in their form and application.

The ACT Government will be considering what planning controls (zones and codes) would apply to drones and their launch sites. This may depend on whether a site is used for a drone storage facility and/or take off/landing aviation facility.

What are your expectations of the Government's role and responsibilities in the management of drones and eVTOL vehicles?

The ACT Government supports the proposition that the Australian Government, in partnership with industry, will develop an unmanned traffic management (UTM) system that would support a combination of centralised government services and industry-provided services to mitigate a wide range of risks and impacts.

As noted in the Issues Paper drones may, in future, be of all sizes and may become large enough to be urban air mobility aircraft. As such, drones may become indistinguishable from current less automated aviation systems except that they may operate in urban areas with vertical take-off and landing capability, as well as navigating at low level.

To operate drones beyond visual line of sight and in large numbers, particularly in densely populated areas, will take not just extra rules but the establishment of new traffic-management systems, akin to air-traffic-control systems, to prevent drones crashing into each other or veering off course. If multiple drones are to use the same airspace, or if drones are to fly in airspace used by manned aircraft, more collision-avoidance technology is needed. With current technology an aircraft-type transponder would be too heavy for many

small drones to carry, and with plastic or styrofoam airframes they might not be detected with radar.

The ACT Government favours further development of on-board GPS-based devices with Automatic Dependent Surveillance-Broadcast (ADS-B). This technology is already being used by CASA and is part of a new generation of air-traffic management being installed in America, Europe and elsewhere. Australia now has significant ADS-B surveillance available across the continent. ADS-B technology could be used to automate the management of both manned aircraft and drones flying in the same area of sky.

But once drones are in larger numbers in low airspace, a more elaborate system will be needed to ensure they avoid each other and stay away from other aircraft. The ACT Government supports further development of automated traffic-management systems for drones such as UTM. We understand that such a system will be automatic, with drones filing requests to use particular flight paths with a local data exchange, which then co-ordinates all the movements. The regulator would only set the rules and define the exchanges, making it a very different way of doing things from air-traffic control.

We further understand that drones will need to be equipped with "sense and avoid" systems and long-range radio to communicate with each other and with the data exchange. require a detailed understanding of microclimates and of the behaviours of different types of drones. Building the necessary systems will take a few years, because existing mobile networks are designed to work with users on the ground, not in the air. These networks may have to be augmented with antennae that point towards the sky.

What are the key opportunities that these new technologies could deliver for Australia?

The ACT endorses the description of key opportunities summarised on page 12 of the Issues Paper. There are clear opportunities in, for example, emergency services using drone technology to transport drinking water, food, medical supplies, and mechanical parts to their workers and volunteers operating in rural areas or in urban environments cut off due to floods and fires. Similarly, the possible reductions in workplace harm, carbon emissions and improvements in data collection and surveying of data sources are quite promising.

An example of the ACT Government taking advantage of such opportunities was the engagement of Wing Australia to provide support during the current COVID-19 public health emergency. At the request of the ACT Government, Wing established a site in Phillip, ACT to use drone delivery of small packages to vulnerable Canberrans within a 5 km radius of the site. The project was an example of where drone delivery can be used to assist governments in providing support and essential items to vulnerable citizens or frontline health workers who may not be able to access these items through normal arrangements and where face to face contact must be limited

Whether eVTOL operations in the form of taxi or delivery services will be realised in the next few years is harder to forecast. As mentioned below public acceptance of noise volume and pitch of these aircraft operating at low altitudes is by no means guaranteed.

What are the most significant barriers to realising these opportunities?

Public acceptance of noise volume and pitch generated by drones will be the single most significant barrier to realising the opportunities that this technology presents. It does not appear likely at present that developments in drone technology will be sufficient to

overcome reservations that communities may have on the noise generated by this kind of aircraft operating at low altitudes.

The ACT Government seeks to avoid regulation which would result in different operating and noise regimes for drones to be in place depending on where and how the drones operate. The ACT Government is in favour of a comprehensive Commonwealth regulatory scheme for navigable airspace and drone noise as logical extensions of the current arrangements for larger aircraft.

It is not in the interests of business, the consumer or Government to have multiple overlapping schemes for airspace where State and Territory land boundaries have no relevance.

The ACT Government does however note that the States and Territories may be able to regulate the use of land by commercial operators of drones. These may well go to matters such as local nuisance and hours of operation, but such rules would be complementary to the Commonwealth's regulatory scheme for the use of airspace and not replace it.

What issues or actions should the government prioritise to facilitate the growth of emerging aviation technologies?

It is clear that the complexities of operating drones in large numbers have barely begun to be understood. Drones make the extraordinary power of digital technologies more widely available. But because they operate in the physical rather than the virtual world, exploiting the many opportunities they offer will depend just as much on sensible regulation as on technological progress.

As mentioned above the ACT Government would like to avoid regulation which would result in different operating and UTM regimes to be in place depending on where and how drones operate. The ACT Government is in favour of a comprehensive Commonwealth regulatory and traffic management scheme as a logical extension of the current arrangements for regulating drones and aircraft.

This position reflects the Commonwealth's existing responsibilities and the fact that drone flights may cross State/Territory borders, as well as providing the opportunity to utilise existing compliance and complaints systems without unnecessary duplication.

The ACT Government does however note that some legal capacity to regulate the operators of drones and drone launch sites remains with the States and Territories. Some specific aspects of the flying of drones, including possible prohibitions on persons piloting drones over particular events, or piloting drones at certain times of the day, or piloting drones from or over certain locations will also be retained by State and Territory Governments. This kind of regulation would be complementary to the Commonwealth's regulatory scheme.

The ACT Government would appreciate and support the development of a national guideline or an Australian Standard to inform site selection and operational requirements for sites used for eVTOL operations. Such a guideline or standard will also serve as a useful planning and assessment tool across states and territories.